



2017 Erie County Cultural Funding

Applicant Briefing

May 5, 2016

Welcome & Introductions

Thomas Hersey

Commissioner

Erie County | Environment & Planning

Thank You!

- Burchfield Penney
- Albright Knox
- Buffalo Psychiatric Center

Housekeeping

- Please **Sign-in** or **provide business card**
- **Handouts**
 - Directions & other
 - Copy of 1 Application w/checklist

Art & Culture: Priority of the County Executive

- 40 Years of Investment of Public Funds in the Sector
- Investment is cumulative
- General Operating Funds
- 2016 funding = \$5.83 million

Overview: EACAB Charge

Erie Arts & Cultural
Advisory Board

Does **NOT** evaluate art or
programming

EACAB Charge

- Review organizations in the areas of:
 - Governance
 - Management/Planning
 - Fiscal Health
 - Community Impact
 - Alignment of programming with mission
 - Recognition of Erie County

Process: Annual Organizational Checkup

- **Application organizes important documents:**
 - Mission
 - Bylaws
 - Board Information
 - Policies
 - Financials
 - Program Description
 - Strategic Plan
 - Evaluation

Process

- **Independent Review**
- **Extra Care for public funds**
 - \$5.83 million Discretionary Funds in County budget of \$1.67 Billion
 - Cultural Budget Receives lots of Attention
- **Avoid problematic publicity**
- **External Governance Audit**
- **Ensure serious future planning**

Process

- Review this year for funding to be awarded in 2017
- Process in 2015 was for funding received in 2016
- Review must look ahead (reason for emphasis on planning & forecasts)
- It gets confusing!

Timeframe - Review

- Applications Due
 - **Friday, June 10, 2016 at 11:59pm**
 - Help available until 5pm
- **Incomplete Applications**
 - Missing attachments
 - Unanswered questions/sections
 - Inappropriate Use of Short Form

Timeframe - Review

Requests for **More Information**

Follow-Up Questions from EACAB
May be sent - late June/early July

ALL Recommendations due at Budget
Office: **August 15, 2016**

Timeframe - Budget

- **County Executive** presents draft budget to Legislature
 - **October 15, 2016**
 - **Public hearings - November**
- Legislative Budget Meeting
 - **December 1, 2016**
- Budget Override Meeting
 - **December 8, 2016**
- Notification and feedback letters sent to organizations
 - **December 2016/January 2017**

Feedback Letters

- Letters sent to all organizations who applied for 2016 Cultural Funding
- Exemplary Items / Issues & Concerns
 - *No Response Required*
 - Purpose:
 - Feedback offered to organizations
 - May help improve future applications
 - To provide continuity for future EACAB reviews

Major Changes for 2017

- **Long Form** = traditional application
(revised)
- Addition of **Short Form** = Pilot Project
- **Expansion of G** – Recognition
- Explain status of **NON-Independent Board Members**

IRS Philosophy as a Guide to EACAB

- IRS found **sound nonprofit governance correlates with good tax law compliance.**
- As a result, **many governance questions have been added to Form 990.**
- *Answers that reflect poor governance can lead to a greater chance of being audited.*

Emphasis Continues:

- **Compliance with IRS 990 & NYS Non-Profit Revitalization Act**
- **Oversight Mechanism?**
 - Conflict of Interest Policy
 - Whistleblower Policy
- **Bylaws updated 2014 – 2016**
- **Strategic Plan is living document**

NYS Non-Profit Revitalization Act

- Standards in the law are the “**minimum**” for good governance
- Erie County seeks higher standards as part of the public investment & on behalf of the taxpayers

Conflict of Interest Policy

- **Effective July 1, 2014**
- **Mandatory Conflict of Interest Policy**
 - Required for ALL nonprofits & trusts
 - Must cover directors, officers & key employees
- **Disclosure Statements**
 - Complete prior to initial election of any director
 - Signed, collected, evaluated, recorded annually
- **Minutes must reflect issues of conflict** for certain people & their non-participation in discussions & votes

Independent Director

- Importantly, the term “*payment*” does NOT include charitable contributions.
- Unfortunately, the Act does not define “*substantial financial interest*.”
- <http://www.mintz.com/newsletter/2015/Advisories/4531-1214-NAT-CORP/index.html>

Independent Director Definition

- A Director who is **not the following:**
 - **NOT an employee** of the organization or any of its affiliates, and
 - **NOT Related** to a Key Employee
 - **NOT a vendor or service provider** (or has a relative) compensated above \$10,000
 - **NOT an Employee or Owner** (or has a relative) **of a vendor or service provider** receiving compensation above certain thresholds

Last Thoughts

- When in doubt, disclose
- Document, document, document
- Boards are temporary stewards of the past, present & future
- Strive for fair, reasonable & act in the best interests of the organization

Invest in Legal Counsel to
review your documents

County Legal Department Compliance

Pay Equity Certification

Equal Opportunity Office Audit

2017 Application

www.erie.gov/culturalfunding

Basic Eligibility

- Located in Erie County
- Provide services in Erie County
- 501 c 3 with tax exempt status prior to 2013
- Board approved Strategic Plan

Meet One Definition:

- Operate at county-wide or recognizable community level
- Cultural activities and/or collections are distinctive and of significant quality
- Provide visitors with access to programs/displays of performing, visual, literary & media arts - and/or exhibits & collections which preserve and interpret our cultural, natural & scientific heritage
- Particularly serves the cultural needs of significant segments of the County population, contributing to the quality of life in Erie County



Sunshine Provision

- Information you provide may be subject to public discussion
- Information you provide may be subject to disclosure pursuant to NYS Public Officers Law

Recognition for Erie County

- If your organization **received funding in 2016** you have committed to recognizing Erie County
- If your organization **applies for 2017** County funding this recognition must be detailed in a plan as part of the application (G)
- If your organization is **awarded funding in 2017** increased attention on plan vs. reality
- **Guidelines** will be available soon for 2017 recognition of Erie County

Long Form

- Traditional application
- For grants **greater than \$7,500**
- Organizations of any size may use this form
- Most rigorous
- Full review & feedback process

Short Form

- 2017 request **CANNOT EXCEED \$7,500**
- Fewer Essays
- No Evaluation
- Minimal feedback

Application Comparison

Application	LONG FORM	SHORT FORM
General Information Summary	Part 1	Part 1
Funding Request Summary	Part 2	Part 2
Applicant Data Summary	Part 3	
Document Update Information	Part 4	Part 3
Board of Directors	Part 5	Part 4
Fiscal Accountability	Part 6	Attach 3 years of financials (Actual 2 prior years, current budget + year to date actual, 2017 budget)
Programs, Exhibits, Performances	Part 7	<i>Described in essay</i>
Capital/Endowment Campaign	Part 8 + Attachment K	
Real Estate	Part 8 + Attachment K	
Compensation - 5 top employees & consultants	Part 9	

Essay Comparison

Essays	LONG FORM	SHORT FORM
Part I: Organization	5 Questions	5 Questions
Part II: Governance & Staffing	5 Questions	5 Questions
Part III: Planning	4 Questions	2 Questions
Part IV: Evaluation	4 Questions (Board, Staff, Programs, Accreditation)	
Part V: Population Served	2 Questions	
Part VI: Response to Erie County	1 Question + Attachment G	1 Question + Attachment G

Attachments

Letter	LONG	SHORT	
A Balance Sheet	●	●	
B FY 2015 et al	●	●	
C Form 990/Proof	●	●	
D 2017 Cash Forecast	●	●	
E Conflict of Interest	●	●	New Applicants / since 2014
F Whistleblower	●	●	New Applicants / since 2014
G County Recognition	●	●	
H Bylaws	●	●	New Applicants / since 2014
I Strategic Plan	●	essay	New Applicants / since 2014
J Corporate/Fdn Support	●	●	If Applicable
K Campaigns, Endowment, Real Estate	●	●	If Applicable

Trouble Spot 1

- **Accumulated operating surplus or deficit?**
- **How much?**
- Long Form – Part 6, Top of Page 3
- Short Form – Page 2, Bottom Page 1

Trouble Spot 1, cont'd - Long

PART 6 – DOCUMENTATION OF FISCAL ACCOUNTABILITY

Please complete according to your organization's fiscal year, rather than calendar year.

Does your organization have an accumulated operating (choose one): ☐ Surplus ☐ Deficit

If yes, what is it? (Do not include endowment/capital funds) \$

REVENUE (FULL FISCAL YEARS) (total in line 23)	FY 2014 Actual	FY 2015 Actual	FY 2016 Budget	FY 2016 Actual YTD	FY 2017 Projected
Earned Income					
1. Admissions					
2. Memberships					
3. Fundraising events (gross)					
4. Tuition (workshops)					
5. Contracted services					
6. Facility Rental					
7. Proceeds: Goods Sales					
8. Remaining/Other (specify):					
a.					
b.					
9. Total Earned Income					

Trouble Spot 1, cont'd - Short

PART 2 – FUNDING REQUEST & FINANCIAL OVERVIEW

Amount of 2017 Erie County Cultural Funding Request	
Amount of 2016 Erie County Cultural Funding Received	
Total Amount of Applicant's 2016 Operating Expenses (Not Capital)	
2017 request is what percentage of 2016 Total Operating Expenses? (Not Capital)	
Purpose of 2017 Funding Request	
Does your organization have an accumulated operating (choose one): (Do not include endowment/capital funds)	<input type="checkbox"/> Surplus = \$ <input type="checkbox"/> Deficit = \$

Trouble Spot 2

- **Compensation 5 Top Staff**
- **Compensation 5 Top Consultants**
- Long Form – Part 9, Page 6
- Short Form – not included

Trouble Spot 2, cont'd

PART 9 – ITEMIZED DETAIL OF TOTAL COMPENSATION (IN WHATEVER FORM, FROM ALL SOURCES)

5 HIGHEST COMPENSATED EMPLOYEES

#	POSITION	TOTAL COMPENSATION AMOUNT
1.		
2.		
3.		
4.		
5.		

5 HIGHEST COMPENSATED CONSULTANTS

#	POSITION	TOTAL COMPENSATION AMOUNT
1.		
2.		
3.		
4.		
5.		

Consultants?

- Audience Participation Moment

Trouble Spot 3

- **Name File Attachments**
 - Acronym for your organization
 - Letter to match attachment (or “bylaws”, “whistleblower”, etc)
 - Year “2017”
 - **NO EXCEL**
 - **ONLY PDF or JPEG**

Trouble Spot 3, cont'd

- **Essays**

- Label each section & number
- Include question at top of essay as courtesy to reviewer
- **1 FILE** – all essays must be pasted into one document

Trouble Spot 4

- **Cash Flow Forecast**
- Predicts when cash arrives
- Predicts when expenses are paid
- **Short Form** or Budgets Under \$200,000
 - Present *2017 FORECAST* by fiscal quarter
- **Long Form**
 - Present *2017 FORECAST* by month

Trouble Spot 5

- **Samples of Recognition**
 - **Attach** PDF or JPEG to application submitted online by deadline
 - **Mail or hand deliver** to Mariely
 - **Deadline** to mail or deliver
Wednesday June 15 @ 5pm

Trouble Spot 6

- **Bylaws & Policies**
 - **Required for ALL new applicants**
 - Others - If updated since 2014, include with application
 - Dated prior to 2014 - invites scrutiny to ensure compliance with NYS Non-profit Law

Trouble Spot 7

- **Independence**
 - Know what this means
 - Report status of all board members
 - Explain reason why a board member is NOT independent
 - **OK** to have non-independent board members
 - **NOT OK** to ignore conflicts (real or perceived)
 - **NOT OK** to be silent in meeting reports about discussion & votes on topics related to non-independent board members or staff

Trouble Spot 8

- **Gender representation on Boards**
- Most problematic at largest organizations or those receiving largest grants from Erie County
- Expect to see improvement

Trouble Spot 9

- **Recognition for Erie County**
- Expanded set of questions
- Required of all applicants
- What is your Plan for 2017?

G

- Awareness of the investment of County funding to your organization
- Context of County funding in comparison to support from corporations, foundations, donors, other public sources
- Seeing collective response of 63 organizations to County funding has much room for improvement
- Informal survey of corporations & foundations reveals a serious weakness in saying thank you

G - continued

- Plan for 2017 now
- Mindfulness & appreciation cost you nothing but pay rewards & dividends
- Under the guise of sophisticated design - Don't sacrifice your manners & ability to say thank you
- Donors look at your websites
- Easy to find the “Donate” button
- Challenging to find appreciation for donors

G - Exceptional

- In relation to resources of staffing & finances
- Limited to what was available on websites

Buffalo City Ballet



The image is a screenshot of the Buffalo City Ballet website. At the top, there is a navigation bar with a search box and several icons. Below this is a header section with a large image of young dancers in pink tutus. To the right of the image is a welcome message and a description of the program. Below the image are logos for NYSCA, a state seal, and a Facebook icon. In the center, there is a red button that says 'Join Us now!'. To the right of this button are two sections for donations: 'PayPal / Tuition Payment' and 'Tuition Payment option 2', each with a 'Buy Now' button and a list of accepted payment methods (MasterCard, Visa, American Express, Discover, PayPal). At the bottom left, there is a section for a video clip of the 2015 Nutcracker. The website has a clean, professional design with a focus on the dancers and the program's offerings.

www.buffalocityballet.org

Search

Most Visited Getting Started The FTD® Best Dresse... Mestiza de Sangley Options

Welcome to the BalletCityBallet

The Buffalo City Ballet offers a complete program for the young dancers.

The finest training in classical ballet. Offering Ballet, Contemporary Dance, Pointe works for young girls, Tiny Tots prep class and boys Ballet. This is not a hip hop or recital based dance program. Buffalo City Ballet is designed training program for young dancers who is serious about obtaining a dance carreer or entering a professional dance college.
Office hours between 10:00 am & 4:00 pm

Join Us now!

PayPal / Tuition Payment

Buy Now

MasterCard VISA American Express Discover PayPal

Tuition Payment option 2

Buy Now

MasterCard VISA American Express Discover PayPal

0 0 0 2 2 3 7

Check out new 2015 Nutcracker video clips on page 6

Privacy Statement:To our patrons, Buffalo City Ballet will not share your information with third party groups, organization or companies.

Buffalo Philharmonic Chorus

Our sincere thanks to our sponsors for their generous contributions that make it possible for the Buffalo Philharmonic Chorus to perform and entertain throughout Western New York.

Thank you to the **County of Erie, County Executive Mark Poloncarz and the Erie County Legislators** for their generous support.

El Museo



Thank you:



**Council on
the Arts**



El Museo's exhibits and programs are made possible by the generous support from The New York State Council on the Arts and Governor Andrew M. Cuomo with the support of the New York State Legislature, The County of Erie, The City of Buffalo Mayor Byron Brown, The City of Buffalo Common Council, Niagara District Councilman David Rivera, The Collective Buffalo, and supporters like you →

T. R. Site



📍 641 Delaware Avenue Buffalo, NY 14202

☎ (716) 884-0095

JOIN

DONATE



BOOK A TOUR

LEARN

EXPLORE

SUPPORT

VISIT

ABOUT

EVENTS

NEWS

BLOG

THE MUSEUM



Now you can step back in time and into the world that TR knew. Walk where he walked, see and hear the challenges he faced, and get a sense of what it was like to lead our nation during such a pivotal time in its history. [View More](#)

OUR FOUNDATION



The TR Site is a unit of the National Park Service. Since its inception, the Site has been managed by a local board of trustees, the Theodore Roosevelt Inaugural Site Foundation, through a cooperative agreement with NPS. [View More](#)

OUR PEOPLE



Learn about the dedicated group of people who are responsible for managing and operating the TR Site and explore opportunities to join the team. [View More](#)

OUR SUPPORTERS



The TR Site is very fortunate to have the support of a number of individuals and local businesses who share our commitment to preserving and promoting TR's legacy. [View More](#)

T.R. Site #2



📍 641 Delaware Avenue Buffalo, NY 14202

☎ (716) 884-0095

JOIN

DONATE



LEARN

EXPLORE

SUPPORT

VISIT

ABOUT

EVENTS

NEWS

BLOG

BOOK A TOUR

ABOUT

THE MUSEUM

OUR FOUNDATION

OUR PEOPLE

OUR SUPPORTERS

MEDIA ROOM

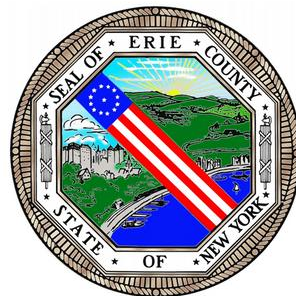
Press Releases

Promo Photos

Videos

OUR SUPPORTERS

The TR Inaugural Site is grateful to our many local individual, corporate, foundation, and government funders, including the County of Erie. Through the TR Site's Board of Trustees, more than 60% of our annual operating funds are raised in Western New York. A very special thanks to the organizations that so generously support the TR Site:



Albright Knox Home

admission to the Albright-Knox from April 17 to 23.

[MORE](#)

Remembering Tony Conrad in *Wish You Were Here*

We remember Tony Conrad with his work in *Wish You Were Here: The Buffalo Avant-garde in the 1970s*.

[MORE](#)

March 30, 2016

Celebrating #MuseumWeek with Your Photos of the Albright-Knox's Architecture

In honor of today's theme, #ArchitectureMW, here are some of our favorite photos that visitors have shared of our architecture.

[MORE](#)

March 17, 2016

#MuseumWeek 2016 Preview

From March 28 to April 3, the Albright-Knox will join more than 2,800 museums around the world to celebrate #MuseumWeek on Twitter.

and a discussion of her project *Spectral Locus*, which will be installed in Buffalo in late August 2016 as part of the Albright-Knox's Public Art Initiative.

[MORE](#)

Tour Public Tour

Sunday, May 1, 2016, 1:30 pm

Public tours are led by Albright-Knox-trained docents and are free with museum admission.

[MORE](#)

Tour Veterans Connecting through Art

The Access AK: Veterans Connecting through Art program welcomes veterans to participate in a guided tour of the museum's Collection, followed by a hands-on art experience.

[MORE](#)

Special Event After Hours @ AK: The Art of Still Life Creation

Tuesday, May 3, 2016, 5:30-8 pm

Join Godin-Spaulling Curator & Curator for the Collection Holly E. Hughes to learn about the process of organizing *For the Love of Things: Still Life*. Then explore the exhibition on your own with a scavenger hunt, or try your hand at drawing your own still life at our sketching stations.

[MORE](#)

Tour Art Baby Stroller Tour

Wednesday, May 4, 2016, 10:30 am

This stroller tour is designed for adults who

FEATURED

Erin Shirreff

January 23-May 8, 2016



FEATURED

For the Love of Things: Still Life

February 27-May 29, 2016



Joan Jonas: Good Night Good Morning

January 16-May 1, 2016



Torey Thornton: Sir Veil

February 27-May 29, 2016

[MORE EXHIBITIONS ►](#)

HOURS: 10 am-5 pm

TOURS

SHOP

CAFÉ

M&T FIRST FRIDAYS



NEWSLETTER

enter your email address [GO](#)



Thank you to the County of Erie

Albright Knox – About

OUR COLLECTION

Since its inception as The Buffalo Fine Arts Academy in 1862, the museum has been dedicated to acquiring, exhibiting, and preserving modern and contemporary art, with a particular emphasis on the collection, presentation, and interpretation of the artistic expressions of our times. [Learn More about Our Fine Art Collection](#)

SUPPORTERS

The Albright-Knox Art Gallery's annual operations are supported, in part, by public funds from the County of Erie and the New York State Council on the Arts with the support of Governor Andrew M. Cuomo and the New York State Legislature, and by the generosity of our Members.



Council on
the Arts

M&T FIRST FRIDAYS @ THE GALLERY is made possible by a generous grant from M&T Bank; media sponsorship is provided by Kiss 98.5, and free parking is provided by NOCO.

M&TBank

Creative Sector

- You are in the creativity business
- Sector Teaches Visual literacy
- Design is in your DNA
- You perform stories about the human condition
- Poets & playwrights & authors use words to inspire us
- Musicians, singers & composers stir our souls
- Use this creativity to complete the circle with donors
- What you want is well said – reciprocity is missing

Subversive Theatre - Use of Humor

- **Privacy Policy**
- “Everyone hates it when their e-mail address miraculously appears on unwanted messages. Rest assured, we will never rent, sell or trade your e-mail address. We don't name names and Homeland Security can kiss our collective grits!”

ASI Assistance Available

Arts Services Initiative of WNY

(716) 362-8389

info@asiwny.org

www.asiwny.org

Questions?

Thank you for attending
the briefing!